

Appl. No. : 10/017,750
Filed : December 7, 2001

REMARKS

Claims 1 through 54 and 97 through 103 are pending in the present application.

Discussion of Rejection Under Nonstatutory Double Patenting

The Examiner provisionally rejected Claims 1-54 and 97-103 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-60 from co-pending Application No. 10/390,547. This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Applicant notes that since the provisional double patenting rejection is the only rejection remaining in the above captioned application, the provisional rejection should be withdrawn in the above captioned application and converted to a double patenting rejection in the other application. See M.P.E.P. § 804.

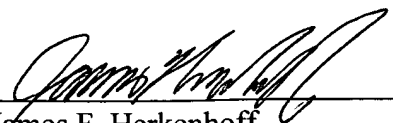
Applicant submits that the present application is in condition for allowance, and such action is respectfully requested. If any issues remain or require further clarification, the Examiner is invited to call Applicant's counsel at the number indicated below in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/1/05

By: 
James F. Herkenhoff
Registration No. 51,241
Attorney of Record
Customer No. 20,995
(619) 235-8550